

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN W. PIEPER JR.,)	4:09CV3260
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
ROBERT HOUSTON, Director,)	
Nebraska Department of Corrections,)	
)	
Respondent.)	

Petitioner has filed a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) (filing no. [1](#)), a Motion for Leave to Proceed in Forma Pauperis (filing no. [2](#)), and a copy of his prisoner account statement (filing no. [3](#)).

Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering Petitioner's financial status as shown in the records of this court, provisional leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the fee at this time.

January 5, 2010.

BY THE COURT:

Richard G. Kopf
United States District Judge

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